

DOCKET NO.: J&J 1764

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JAN 22 2004

PATENT

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Philip J. Larkin et al.

Application No.: 09/600,025

Filing Date: August 29, 2000

For: Methods for Plant Transformation and Regeneration

Confirmation No.: 6639

Group Art Unit: 1638

Examiner: D. Kruse

DATE OF DEPOSIT:

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.

TYPED NAME: John W. Harbour  
REGISTRATION NO.: 31,365

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed on March 5, 2003, which set a Three month period for reply. The date of abandonment is the day after the expiration date of the period set for reply in the Office Notice or Action plus any extensions of time obtained therefore.

01/22/2004 MDAMTE1 00000027 100750 09600025  
01 FC:1453 1330.00 DA

**APPLICANT(S) HEREBY PETITIONS FOR THE REVIVAL OF THIS  
APPLICATION**

Petition fee (37 CFR § 1.17m):

- ☐ Small Business entity - fee \$665.00
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney claims small entity status under 37 CFR § 1.27 as:
- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☒ Other than a Small Business entity - fee \$1,330.00.

Reply and/or fee:

The reply to the above-noted Office Action

- ☐ in the form of \_\_\_\_\_ was previously filed on \_\_\_\_\_.
- ☒ is enclosed herewith.

Terminal disclaimer with disclaimer fee:

- ☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer and disclaimer fee (37 CFR § 1.20(d)) disclaiming a period equivalent to the period of abandonment is enclosed herewith. (See PTO/SB/63)

**STATEMENT**

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional.

Payment of fee(s):

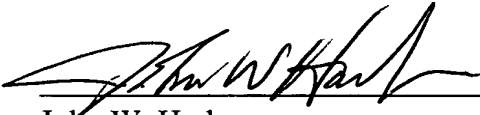
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PATENT

- ☒ A check in the amount of \$       .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 10-0750/J&J1764/JWH in the amount of \$       .00. This sheet is attached in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 10-0750/J&J1764/JWH. This sheet is attached in duplicate.
- ☒ This Petition is enclosed in duplicate.

Date:

 11/15/04  
John W. Harbour  
Registration No. 31,365

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